HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 13438 of 2007

Dated 28.06.2007

Between:

G.Prabhakar.

...Petitioner

and

The Asst. director and another.

...Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 13438 of 2007

O R D E R:

Petitioner claims to have submitted an application in September 2005 before the first respondent, with a request to register a Society, in the name of Sri Anjaneyaswamy Cotton and Silk Handloom Weavers Co-operative Society in Chinna Mustur Village. Thereafter, reminders are said to have been made on different dates. The petitioner complains that though nearly 15 Societies have been registered, subsequent to the date, on which the petitioner submitted the application, the first respondent has not taken any steps so far, as regards the application filed by him.

Heard the learned counsel for the petitioner and the learned Government Pleader for Co-operation.

Section 6 of the A.P. Co-operative Societies Act, 1964 and Rule 3 of the A.P.Co-operative Societies Rules, 1964 prescribe the procedure for registering a Society. The petitioner states that the application submitted by himself and others is complete in all respects. The provisions not only stipulate the conditions to be complied with, by the applicants, but also cast a duty upon the registering authority to take necessary steps. In case, the petitioner's application is not in order, the registering authority is under obligation to communicate the reasons therefor to the applicants. By any standard, keeping the application pending for more than 1½ years cannot be countenanced.

For the foregoing reasons, the writ petition is disposed of, directing the first respondent to consider the application of the petitioner and take necessary steps in accordance with Section 6 of the A.P. Co-operative Societies Act, 1964 and Rule 3 of the A.P. Co-operative Societies Rules, 1964, within a period of 15 days from the date of receipt of a copy of this order. In case, the application is not complete in any respect, it shall be open to the respondents to call upon the petitioner to comply with the same. There shall be no order as to costs.

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28.06.2007

JSU